

EXHIBIT 9

File No. 15030-19-35450/534

Law Offices

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Attorneys for Plaintiff

M&T BANK,

Plaintiff,

v.

MICHAEL P. SIANO; MRS. MICHAEL
P. SIANO, HIS WIFE; NJR CLEAN
ENERGY VENTURES II
CORPORATION,

Defendants.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
OCEAN COUNTY
DOCKET NO. F-014382-19

CIVIL ACTION

**CERTIFICATON IN SUPPORT OF
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT**

Rachel M. Nowicki of full age, hereby certifies as follows:

1. I am Banking Officer (title) of Plaintiff, M&T Bank ("M&T"). I
am an Officer of M&T and am qualified to execute this Certification. I have personal
knowledge of the subject mortgage account and I am fully qualified and authorized to make
this Certification. In the regular performance of my job functions, I am familiar with

business records maintained by M&T for the purpose of servicing mortgage loans. These records (which include data compilations, electronically imaged documents, and others) are made at or near the time by, or from information provided by, persons with knowledge of the activity and transactions reflected in such records, and are kept in the course of business activity conducted regularly by M&T. It is the regular practice of M&T to make these records. In connection with making this Certification, I have personally examined these business records reflecting data and information.

2. On July 19, 2017, Michael P. Siano (hereinafter, "Mortgagor") executed a Note in favor of Glendenning Mortgage Corporation in the sum of \$193,922.00 ("Note"). A true and correct copy of the Note is attached hereto and incorporated herein as Exhibit "A".

3. To secure repayment of the Note, on July 19, 2017, Mortgagor executed a mortgage to Mortgage Electronic Registration Systems, Inc. as nominee for Glendenning Mortgage Corporation its successors and assigns, and did thereby convey to it in fee the land therein described on the express condition that such conveyance would be void if payment should be made according to the terms of the Note ("Mortgage"). The Mortgage was duly recorded in the Office of the Clerk of Ocean County on August 2, 2017, in Book 16822, Page 1456. A true and correct copy of the Mortgage is attached hereto and incorporated herein as Exhibit "B".

4. By Assignment of Mortgage dated October 17, 2018, Mortgage Electronic Registration Systems, Inc., as nominee for Glendenning Mortgage Corporation its successors and assigns, assigned all of its right, title and interest in and to the Mortgage to Wells Fargo Bank, N.A. The Assignment of Mortgage was recorded in the Office of the Clerk of Ocean

County on October 18, 2018, in Book 17273, Page 652. A true and correct copy of the Assignment of Mortgage is attached hereto and incorporated herein as Exhibit "C".

5. By Assignment of Mortgage dated April 23, 2019, Wells Fargo Bank, N.A. its successors and assigns, assigned all of its right, title and interest in and to the Mortgage to M&T Bank. The Assignment of Mortgage was recorded in the Office of the Clerk of Ocean County on April 24, 2019, in Book 17449, Page 337. A true and correct copy of the Assignment of Mortgage is attached hereto and incorporated herein as Exhibit "D".

6. On March 1, 2019, Mortgagor failed to tender the requisite monthly mortgage payment, which constituted a default under the Note and Mortgage. A true and correct copy of the payment history noting the March 1, 2019, due/default date is attached hereto as Exhibit "E".

7. The Mortgagor failed to cure said payment default.

8. Plaintiff sent a Notice of Intention to Foreclose to Mortgagor pursuant to the New Jersey Fair Foreclosure Act. A true and correct copy of the Notice of Intention to Foreclose is attached hereto and incorporated herein as Exhibit "F."

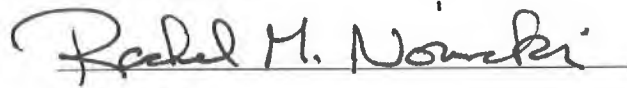
9. Plaintiff filed a Foreclosure Complaint against Mortgagor on August 19, 2019. A true and correct copy of the Complaint is attached hereto and incorporated herein as Exhibit "G."

10. On September 25, 2019, Mortgagor filed a Contesting Answer with Separate/Affirmative Defenses in response to Plaintiff's Complaint. A true and correct copy of the Answer is attached hereto and incorporated herein as Exhibit "H."

11. Plaintiff is in possession of the original Note and has been since 6/17/2009 (date), which is prior to the commencement of this foreclosure action. The original Note is located at 751 Kasota Ave, Suite MDC Minneapolis, MN 55414 (location).

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

M&T Bank



By: Rachel M. Nowicki

Title: Banking Officer

Dated:

11/29/19